

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 3688-01
BILL NO.: HB 1665
SUBJECT: Law Enforcement Officers: Funerals
TYPE: Original
DATE: February 11, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
General Revenue*	(\$0 to \$420,000)	(\$0 to \$420,000)	(\$0 to \$420,000)
Total Estimated Net Effect on <u>All</u> State Funds*	(\$0 to \$420,000)	(\$0 to \$420,000)	(\$0 to \$420,000)

*—SUBJECT TO APPROPRIATION—

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses

This fiscal note contains 5 pages.

FISCAL ANALYSIS

ASSUMPTION

In response to a similar proposal last session, officials from the **Department of Public Safety - Missouri State Highway Patrol (MHP)** stated that MHP has had 11 officers killed in the line of duty since 1969, an average of one officer every 2.72 years. The statewide average of officers killed in the line of duty is 3 officers per year. However, since the Patrol cannot estimate the number of officers killed in any given year, MHP officials cannot estimate fiscal impact for the \$50,000 death benefit and \$10,000 burial benefit.

Officials from the **Department of Public Safety (DPS) - Director's Office** assume there could be unknown costs as a result of this proposal as it would pay a death benefit to the surviving spouse or child of a public safety officer and would pay burial benefits for a public safety officer killed in the line of duty. Currently, there are 19,000 police officers in the state of Missouri.

Officials from the **Department of Public Safety - Division of Fire Safety (DFS)** assume they would request appropriations to provide burial and death benefits to families of public safety officers killed in the line of duty. DFS estimates 4 fire fighter deaths per year and assumes the maximum burial and death benefits would be paid to the victim's survivors.

4 fire fighter deaths x \$10,000 burial benefit = \$40,000
4 fire fighter deaths x \$50,000 death benefit = \$200,000

DFS assumes the benefits would be paid from the general revenue fund.

DPS's **Missouri Capitol Police** and **Missouri National Guard** assume there would be no fiscal impact to their divisions as a result of this proposal.

In response to a similar proposal last session, officials from the **Missouri State Water Patrol** assumed this proposal would have no fiscal impact on their agency.

Officials from the **Department of Natural Resources (DNR)** assume this proposal would provide burial benefits not to exceed \$10,000 and death benefits of \$50,000 subject to appropriation, for children and spouses of public safety officers who are killed or permanently and totally disabled in the line of duty.

The definition of a public safety officer would include DNR's state park rangers. DNR has 47 state park rangers and 22 commissioned state park superintendents that would be included in the definition of a public safety officer and therefore eligible for burial and death benefits.

ASSUMPTION (continued)

Officials from the **Department of Conservation (MDC)** assume this proposal would have no fiscal impact on MDC funds.

In response to a similar proposal last session, officials from the **Department of Corrections (DOC)** assumed that DOC employees would meet the criteria of “public safety officer” pursuant to this proposal. There would be no fiscal impact to DOC due to enactment of this proposal. It is unclear whether any benefit would be paid for employees permanently and totally disabled.

Last session, DOC noted that there have been three employees killed in the line of duty over the past soon-to-be twenty-five years. A DOC officer was slain at Jefferson City Correctional Center (fka Missouri State Penitentiary or MSP) in 1975 and also in 1979. Another DOC officer died as a result of a stabbing at Moberly Correctional Center (fka Moberly Training Center for Men) in 1983.

Officials from the **Department of Transportation (DHT)** assume the total benefit provided by this legislation is \$60,000 per death. The majority of the salaries and benefits provided to officers employed by MHP come from the Highway Fund. Therefore, any additional appropriations to fund this program would result in a reduction in funding to DHT. However, DHT cannot estimate the number of deaths that may occur in any given year.

This proposal defines a “public safety officer” as “any firefighter, police officer, capitol police officer, sheriff, deputy sheriff, parole officer, probation officer, state correctional employee, water safety officer, park ranger, conservation officer or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed ***or permanently and totally disabled in the line of duty.***” [emphasis added] This proposal also states that “within the limits of the amounts appropriated therefor, the department shall provide, as defined in this section, a burial and a death benefit to: (1) A spouse of a public safety officer killed in the line of duty; or (2) If there is no surviving spouse, an eligible child of a public safety officer or employee killed in the line of duty.” The proposal provides for a \$10,000 burial benefit and a \$50,000 death benefit. Although the language of the proposal is unclear, if this proposal would pay a death and burial benefit only on those public safety officers killed in the line of duty, based on MHP information of an average of three public safety officers being killed per year and DFS estimates of four fire fighter deaths per year, **Oversight** assumes there could be a fiscal impact to the State of up to \$60,000 per officer killed in the line of duty, or \$420,000, subject to appropriation. As no specific funding source is named in this proposal, Oversight assumes that death and burial benefits would come from General Revenue if appropriated. If this proposal was intended to pay a death and burial benefit to survivors of public safety officers who were killed **or** those permanently and totally disabled in the line of duty at the time of their death, Oversight assumes the fiscal impact could be significantly more.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
---	---------------------	---------	---------

GENERAL REVENUE FUND

<u>Cost</u> - Department of Public Safety (DPS) Death and Burial Benefits	(\$ 0 to \$420,000)	(\$ 0 to \$420,000)	(\$ 0 to \$420,000)
--	------------------------	------------------------	------------------------

—SUBJECT TO APPROPRIATIONS—

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
---	---------------------	---------	---------

	0	0	0
--	---	---	---

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal establishes a death and burial benefit for certain public safety officers who are killed in the line of duty. The benefits are in addition to any workers' compensation settlements. Payment will be given first to the spouse of the officer. If no spouse exists, the benefit will be given to any eligible child.

The amount of the death benefit will be a lump sum of \$50,000. The amount of burial benefit will be up to \$10,000. Both amounts are subject to appropriation.

This legislation is not federally mandated, would not duplicate any other program, and would not require additional capital improvements or rental space.

L.R. NO. 3688-01
BILL NO. HB 1665
PAGE 5 OF 5
February 11, 2000

SOURCES OF INFORMATION

Department of Public Safety
Director's Office
Missouri State Highway Patrol
Capitol Police
Missouri State Water Patrol
Division of Fire Safety
Missouri National Guard
Department of Natural Resources
Department of Corrections
Department of Conservation
Department of Transportation

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "Jarrett".

Jeanne Jarrett, CPA
Director
February 11, 2000